

REMARKS

Reconsideration of the present application is respectfully requested on the basis of the following particulars.

1. Interview Summary

Applicants are grateful that the Examiner granted an interview to Applicants' representative on August 20, 2003. During the course of the interview, as detailed in the Interview Summary, Applicants proposed amending the claims so as to recite that the illumination units are configured and positioned to illuminate "directly opposed" sides of the bank note, as now recited in claims 10 and 14. The Examiner agreed that including this limitation would overcome the prior art of record. At the interview, the use of the term "identical" was discussed and it was proposed to refer to the sensor units and the illumination units separately when using the term "identical." The reasoning behind this amendment is that there had been confusion as to what was meant by "identical" and which specific claim elements were identical to one another. Furthermore, it was also discussed at the interview how to clarify the language in the claims that recite that the illumination units operate "simultaneously." It was proposed and agreed to by the Examiner that the claim language could be improved by reciting that illumination units simultaneously operate at the "same wavelength or wave range."

In view of the discussion at the interview, Applicants submit herewith amended claims in the present application that incorporate the changes proposed and discussed at the interview.

2. Rejection of claims 10-13 under 35 U.S.C. 112, first paragraph

Claims 10-13 stand rejected under 35 U.S.C. 112, first paragraph for failing to comply with the enablement requirement. Specifically, claims 10-13 were rejected

due to the term "identical" used in the claims. As noted above, claim 10 has been amended to refer to the sensor units as being identical to one another and the illumination units as being identical to one another. Thus, in view of this amendment, the confusion over the use of the term "identical" is resolved.

Accordingly, Applicants submit that claims 10-13 comply with 35 U.S.C. 112, first paragraph. Withdrawal of this rejection is respectfully requested.

3. Rejection of claims 10-13 and 15-18 under 35 U.S.C. 112, second paragraph

Claims 10-13 and 15-18 stand rejected under 35 U.S.C. 112, second paragraph. More specifically, claims 10-13 have been rejected on the basis of the confusion over the use of the term "identical," as discussed above. It will be noted, as explained above, that claim 10 has been amended to clarify the term "identical." Other minor informalities were identified in the Office Action and have been subsequently corrected in the currently amended set of claims in the present application. Withdrawal of the rejection is respectfully requested.

4. Rejection of claims 10 and 12 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,723,072 (Naruse)

Claims 10 and 12 stand rejected as being anticipated by the teachings of Naruse. In view of the amendment to claim 10, and as discussed at the aforementioned interview, Applicants respectfully traverse this rejection on the basis that the teachings of Naruse fail to disclose, teach or suggest an apparatus for determining the fitness of a bank note wherein the illumination units thereof are positioned and configured to illuminate directly opposed sides of a preselected segment of a bank note. Claim 12, which depends directly from claim 10, is at least patentable based on its dependency from claim 10 and its individually recited elements.

In observing FIG. 8 of Naruse, it is readily apparent that the light sources 100, 102 are not focused at directly opposed sides of a preselected segment of a bank note. Instead, while the light sources 100, 102 are on opposed sides of the bank note, they are positioned at opposite end portions of the bank note, wherein the light source 100 illuminates the bank note before the light source 102 (col. 7, line 64 - col. 8, line 24). In fact, due to the placement of the light sources, the apparatus of Naruse requires a delay circuit 132 so as to coordinate the signals of the first and second detectors 112, 114 used to detect light from the light sources 100, 102.

Accordingly, in view of the observations on the teachings of Naruse, Applicants respectfully submit that the teachings of Naruse fail to disclose, suggest or teach each of the elements of claim 10, whether inherently or explicitly. Claim 12 is thus patentable based on its dependency from claim 10 and its individually recited features. Withdrawal of this rejection is respectfully requested in view of amended claim 10.

5. Rejection of claims 11, 14, 15 and 18 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,723,072 (Naruse) in view of U.S. Patent 6,101,266 (Laskowski et al.)

Claims 11, 14, 15 and 18 stand rejected as being unpatentable over the teachings of Naruse in view of the teachings of Laskowski et al. In view of the amendment to claims 10 and 14, Applicants respectfully traverse this rejection on the basis that the teachings of Naruse and Laskowski et al., whether considered collectively or individually, fail to disclose, teach or suggest an apparatus or method for determining the fitness of a bank note wherein the illumination units thereof are positioned and configured to illuminate directly opposed sides of a preselected segment of a bank note. Claim 11, which depends from claim 10, and claims 15 and 18, which depend from claim 14, are thus patentable based on their dependency from either claim 10 or claim 14 and their individually recited elements.

Having already made the aforesaid observations on the teachings of Naruse, Applicants submit that the teachings of Laskowski et al. fail to make up for the deficiencies of the teachings of Naruse. Specifically, it will be pointed out that the teachings of the Laskowski et al. disclose a plurality of light emitters that are disposed along one side of the bank note. This is particularly evident in FIGS. 2 and 3. Thus, it is respectfully submitted that Laskowski et al. fail to disclose or suggest an apparatus for determining fitness of a bank note wherein illumination units are configured and positioned to illuminate "directly opposed" sides of a preselected segment of a bank note.

In view of these observations, Applicants respectfully submit that the teachings of Naruse and Laskowski et al., whether considered collectively or individually, fail to disclose, suggest or teach the apparatus and configuration of the illumination units of the present invention as recited in the apparatus claim 10 and method claim 14 in the present application. Accordingly, claim 11 and claims 15 and 18 are patentable based on their dependency from either claim 10 or 14 and their individually recited features. Withdrawal of the rejection is requested.

6. Rejection of claims 16 and 17 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,723,072 (Naruse) in view of U.S. Patent 6,101,266 (Laskowski et al.), and further in view of U.S. Patent 6,040,584 (Liu et al.)

Claims 16 and 17 stand rejected as being unpatentable in view of Naruse, Laskowski et al, and Liu et al. Applicants traverse this rejection on the basis that Naruse, Laskowski et al., and Liu et al., whether considered collectively or individually, fail to disclose or suggest all of the elements of claim 14 from which claims 16 and 17 depend.

Applicants submit that the teachings of Liu et al. fail to make up for the deficiencies of Naruse and Laskowski et al., as discussed above. Namely, the teachings of Liu et al. fail to disclose, teach or suggest an apparatus for determining

the fitness of a bank note wherein the illumination units thereof are positioned and configured to illuminate directly opposed sides of a preselected segment of a bank note.

In view of these observations, Applicants respectfully submit that the teachings of Naruse, Laskowski et al. and Liu et al., whether considered collectively or individually, fail to disclose, suggest or teach the apparatus and configuration of the illumination units of the present invention as recited in the method claim 14 in the present application. Accordingly, claims 16 and 17 are patentable based on their dependency from claim 14 and their individually recited method steps. Withdrawal of the rejection is requested.

7. Rejection of claim 13 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,723,072 (Naruse) in view of U.S. Patent 6,241,069 (Mazur et al.)

Claim 13 stands rejected as being unpatentable over the teachings of Naruse in view of the teachings of Mazur et al. Claim 13 is indirectly dependent from claim 10. Applicants submit that the teachings of Mazur et al. fail to make up for the shortcomings of the apparatus of Naruse. Namely, Mazur et al. fail to disclose or suggest an apparatus for determining the fitness of a bank note wherein the illumination units thereof are positioned and configured to illuminate directly opposed sides of a preselected segment of a bank note.

In view of these observations, Applicants respectfully submit that the teachings of Naruse and Mazur et al., whether considered collectively or individually, fail to disclose, suggest or teach the apparatus and configuration of the illumination units of the present invention as recited in the apparatus claim 10 in the present application. Accordingly, claim 13 is thus patentable based on its dependency from claim 10 and its individually recited features. Withdrawal of the rejection is requested.

8. Conclusion

In view of the amended claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that claims 10-18 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicants' Attorney, the Examiner is invited to contact the undersigned at the numbers shown below.

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314-1176
Phone: (703) 683-0500

Date: August 27, 2003

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin J. Cassell", written in a cursive style.

JUSTIN J. CASSELL
Attorney for Applicants
Registration No. 46,205